D.B.CIVIL SPECIAL APPEAL (W) NO. 557/2006
Board of Secondary Education , Rajasthan
v.
State of Rajasthan & anr.

Date of order : 16.05.2007.

HON'BLE THE CHIEF JUSTICE SHRI S.N.JHA
HON'BLE SHRI JUSTICE MOHAMMAD RAFIQ
. . .

Shri Arun Chaturvedi for the appellant

The dispute in this appeal relates to allowing the students of the Amar Sewa Vidyalaya, Jobner, district Jaipur to appear in the Secondary examination 2006. It is stated that the school was not recognised for the session 2005-2006 but its students were permitted to appear as students of SKR Public School by transferring them to that school. The case of the appellant Board of Secondary Education is that as the school in question was not recognised its students could not be permitted to appear at the examination by transferring them to SKR Public School which is a recognised school.

It is not in dispute that Amar Sewa Vidyalaya was recognised subsequently for the session 2006-07. It appears that the process of recognition was underway and it took time to take the decision in the matter of grant of recognition. Be that as it may, the point for consideration is

whether and to what extent the Court should interfere in this matter at this stage. It is not in dispute that students of Amar Sewa Vidyayala who passed the examination in question in 2006 must have taken admission in higher classes and be prosecuting studies. Interference at this stage may jeopardise their result and further studies. We are of the view that students should not suffer for no fault of theirs and we are therefore not inclined to interfere in the matter.

Appeal is dismissed.

(MOHAMMAD RAFIQ), J. (S.N.JHA), C.J.

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